



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

October 4, 1996

Mr. Ron M. Pigott
Assistant General Counsel
Texas Department of Public Safety
P.O. Box 4087
Austin, Texas 78773-0001

OR96-1819

Dear Mr. Pigott:

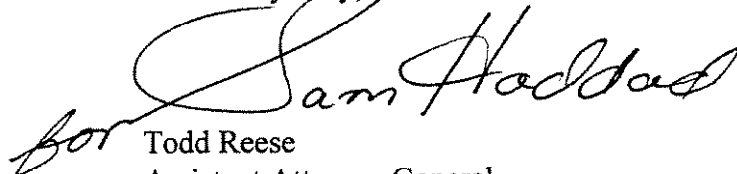
You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 100979.

The Texas Department of Public Safety (the "department") received a request from an attorney for "the names and dates that any person or institution has made an inquiry or request as to the criminal record of [a certain named individual] for the time period January 1, 1990 through December 31, 1995." You assert that the requested information is excepted from required public disclosure under section 552.108 of the Government Code.

Section 552.108 excepts from disclosure "[i]nformation held by a law enforcement agency or prosecutor that deals with the detection, investigation, or prosecution of crime," and "[a]n internal record or notation of a law enforcement agency or prosecutor that is maintained for internal use in matters relating to law enforcement or prosecution." Gov't Code § 552.108; *see Holmes v. Morales*, 924 S.W.2d 920 (Tex. 1996). We agree that the information requested may be withheld under section 552.108 of the Government Code. We note, however, that you may choose to release all or part of the information that is not otherwise confidential by law. Gov't Code § 552.007.

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and may not be relied upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,

A handwritten signature in cursive script, appearing to read "Sam Haddad", is written over the typed name "Todd Reese".

Todd Reese
Assistant Attorney General
Open Records Division

RTR/rho

Ref.: ID# 100979

Enclosures: Submitted documents

cc: Ms. Carmen S. Mitchell
Wilson, Williams, Molberg & Mitchell, P.C.
2214 Main Street
Dallas, Texas 75201-4324
(w/o enclosures)